

VIRGINIA BOARD OF NURSING  
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE  
MINUTES  
OCTOBER 12, 2011

TIME AND PLACE: The meeting of the Committee of Joint Boards of Nursing and Medicine and Advisory Committee of the Joint Boards of Nursing and Medicine was convened at 9:20 A.M, in Board Room 4, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chair  
Allison Gregory, R.N., L.N.P.  
Wayne Reynolds, D.O.  
Louise Hartz, Citizen Member  
Claudette Dalton, M.D.

ADVISORY COMMITTEE  
MEMBERS PRESENT: Joseph F. Borzelleca, Jr., M.D., M.P.H.  
Carola Bruflat, M.S.N., WHNP/FNP  
Mary Duggan, M.S., ACNP-BC  
Thomas J. Pajewski, Ph.D., M.D.  
Tom Watters, R.N., C.R.N.A.

STAFF PRESENT: Dianne L. Reynolds-Cane, M.D., Director  
Arne Owens, Chief Deputy Director  
Elaine Yeatts, Senior Policy Analyst  
Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director  
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director  
Charlotte M. Creed, Office Manager  
Krystal Blanton, Senior Discipline Specialist

OTHERS PRESENT: Howard Casway, Senior Assistant Attorney General  
William L. Harp, M.D., Executive Director, Board of Medicine  
Ralph Orr, Prescription Monitoring Program Director  
Michele Satterlund, Virginia Association of Nurse Anesthetists  
Scott Johnson, Medical Society of Virginia  
Philip Boykin, Virginia Council of Nurse Practitioners  
Hunter Jamerson, Virginia Association of Family Practice  
Lynn Poole  
Tyler Cox, Medical Society of Virginia  
Katie Payne, Williams Mullen  
Becky Bowers-Lanier, Association of Certified Nurse Midwives, VA Chapter

ESTABLISHMENT OF  
A QUORUM: With five (5) members of the Committee present, a quorum was established.

ORDERING OF  
AGENDA:

The agenda was reviewed and ordered.

PUBLIC COMMENT:

Ms. Satterlund, Virginia Association of Nurse Anesthetists (VANA), appeared before the Committee to request a review of current regulations regarding advanced nurse practitioners, specifically CRNA's, in an effort to eliminate outdated terminology and promote efficient practice. Ms. Satterlund referenced the Petition for Rule-making that was filed by VANA.

DISPOSITION OF  
MINUTES:

The minutes of April 13, 2011 were reviewed for historical purposes.

NEW BUSINESS:

Dr. Selig welcomed new members Louise Hartz and Robert Hickman, M.D., to the Committee of the Joint Boards of Nursing and Medicine.

Ms. Douglas provided an update regarding the implementation of online applications for Registered Nurses and Licensed Practical Nurses by endorsement and examination. The Board anticipates implementing online applications for initial licensure and prescriptive authority for nurse practitioners in the near future. Ms. Douglas advised the Committee that the number of Nurse Practitioners licensed as of September 6, 2011 was 6506, 3860 with Prescriptive Authority. Lastly, Ms. Douglas stated that the data provided by NCSBN included a comparison between Virginia's current laws and regulations and the APRN Consensus Model. The data provided needs to be re-evaluated, as there are some inaccuracies. Ms. Douglas plans to bring this to the attention of the appropriate NCSBN staff.

Virginia Action Coalition

Ms. Douglas provided materials regarding the Virginia Action Coalition Workgroup's access to care and team based care delivery. The VNA and AARP are co-leads for the Virginia Action Coalition, which is addressing the review and implementation of the IOM report regarding the future of nursing.

Board of Health Professions

Ms. Gregory, BHP Board member, reported that a roundtable previously scheduled for October 14, 2011, had been postponed due to Board member vacancies.

Regulatory/Legislative Update

Ms. Yeatts commented on the legislation that passed last year authorizing nurse practitioners to sign death certificates. She also indicated that training could be accessed through DHP's website. Ms. Yeatts also advised the Committee that it could use this opportunity to discuss the Board of Nursing Petition for Rule-making, which has not

been filed yet for comment. Further, Ms. Yeatts advised that a review of the regulations is required every four years.

Dr. Reynolds moved that the Committee recommend approval of the Petition for Rule-making to the Boards of Nursing and Medicine, and further recommended that the Boards begin a review of the Regulations Governing the Licensure of Nurse Practitioner's. The motion passed by a vote of 5 to 1.

Dr. Dalton moved that the Board of Nursing and Board of Medicine limit its regulatory review to CRNA's. The motion failed with a vote of 1 to 5.

#### Prescription Monitoring Program Update

Ralph Orr provided the Committee with a brief overview of the PMP, and changes to the program to include the authorization of prescribers to share information with other prescribers. The PMP currently has over 11, 0000 prescribers.

#### Meeting Dates:

The next meeting date will be Wednesday, December 7, 2011.

RECESS:

The business meeting concluded at 10:15 a.m.

RECONVENTION:

The Committee reconvened at 10:30 a.m.

#### Consideration of Agency Subordinate Recommendations:

CLOSED MEETING:

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10: 40 a.m., for the purpose of consideration of agency subordinate recommendations. Additionally, moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Blanton, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 10:46 a.m.

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

**Helen R. Robinson, R.N., L.N.P. – 0001-112937; 0024-112937**

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine accept the agency subordinate's recommendation to indefinitely suspend Ms. Robinson's prescriptive authority and her right to renew her license to practice as a nurse practitioner for not less than two years, and until she can demonstrate that she is safe and competent to practice.

The motion was seconded and carried unanimously.

**Elke Zschaebitz, R.N., L.N.P. – 0001-207467; 0024-167425**

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10: 50 a.m., as Ms. Gregory recused herself from considering this agency subordinate recommendation. Additionally, moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Blanton, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

The Board reconvened in open session at 10:55 a.m.

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Dalton moved that the Committee of the Joint Boards of Nursing and Medicine accept the agency subordinate's recommendation, with the same changes as amended in the Board of Nursing Order entered September 27, 2011, to reprimand Ms. Zschaebitz. Further, Ms. Zschaebitz shall provide the Board with verification that she has completed the NCSBN online course entitled, "*Respecting Professional Boundaries*," within 30 days.

The motion was seconded and carried unanimously.

**Carolyn Karcher, L.N.P. – 0024-164782**

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine accept the agency subordinate recommendation to indefinitely suspend Ms. Karcher's right to renew her license to practice as a nurse practitioner for not less than two years and until she can demonstrate that she is safe and competent to practice.

The motion was seconded and carried unanimously.

FORMAL  
HEARING:

**Diane Burns, R.N., L.N.P. – 0001-105727; 0024-164359**

Ms. Burns appeared and was represented by Nathan Kottcamp, Esquire.

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:05 a.m., for the purpose of deliberation in the matter of Diane Burns, R.N., L.N.P. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

The Board reconvened in open session at 11:35 a.m.

Ms. Hartz moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Gregory moved that the Committee of the Joint Boards of Nursing and Medicine accept the proposed Consent Order, with the modification to reprimand Ms. Burns. Further, Ms. Burns' prescriptive authority shall be indefinitely suspended for not less than two years.

The motion was seconded and carried unanimously.

INFORMAL  
CONFERENCES:

**Louellyn Hale, R.N., L.N.P. – 0001-065192; 0024-065192**

Ms. Hale appeared and was represented by Michael Goodman, Esquire.

CLOSED MEETING:

Dr. Dalton moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 2:47 p.m., for the purpose of deliberation in the matter of Louellyn Hale, R.N., L.N.P. Additionally, Dr. Dalton moved that Ms. Douglas, Ms. Mitchell, and Ms. Blanton attend the

closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

RECONVENTION:

The Committee reconvened in open session at 3:17 p.m.

Dr. Dalton certified that the Committee of the Joint Boards of Nursing and Medicine heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Hickman moved that the Committee of the Joint Boards of Nursing and Medicine indefinitely suspend Ms. Hale's license to practice as a nurse practitioner for not less than two years.

The motion was seconded and carried unanimously.

**Judith Gore, R.N., L.N.P. – 0001-047673; 0024-047673**

Ms. Gore appeared and was not represented by an attorney.

CLOSED MEETING:

Dr. Dalton moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:07 p.m., for the purpose of deliberation in the matter of Judith Gore, R.N., L.N.P. Additionally, Dr. Dalton moved that Ms. Douglas, Ms. Mitchell, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

RECONVENTION:

The Committee reconvened in open session at 4:16 p.m.

Dr. Dalton certified that the Committee of the Joint Boards of Nursing and Medicine heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Hickman moved that the Committee of the Joint Boards of Nursing and Medicine reinstate Ms. Gore's prescriptive authority.

The motion was seconded and carried unanimously.

**Stacy Reidt, R.N., L.N.P. – 0001-177344; 0024-168687**

Ms. Reidt appeared and was not represented by an attorney.

CLOSED MEETING:

Dr. Dalton moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 4:45 p.m., for the purpose of deliberation in the matter of Stacy Reidt, R.N., L.N.P. Additionally, Dr. Dalton moved that Ms. Douglas, Ms. Mitchell, and Ms. Blanton attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

RECONVENTION:

The Committee reconvened in open session at 5:07 p.m.

Dr. Dalton certified that the Committee of the Joint Boards of Nursing and Medicine heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Dalton moved that the Committee of the Joint Boards of Nursing and Medicine make findings of fact, and conclusions of law, and impose no sanction.

The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 5:09 p.m.

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Jay P. Douglas, R.N., M.S.M., C.S.A.C.  
Executive Director, Board of Nursing